

Appl. No.: 10/632,980
Amdt. Dated: 18 September 2007

Remarks/Arguments

This Supplemental Amendment is submitted in view of informalities in the previous amendment mailed 30 August 2007, and to better point up applicants' claim of invention. In order to correct for informalities and to better point up applicants' claim of invention, claims 1-6, 9, and 15-20 have been amended, and claims 8 and 14 have been cancelled without disclaimer of the limitations therein. Applicants' arguments set forth in the previous amendment are incorporated by reference as though fully set forth herein.

It is also requested that on page 10 of the response dated 30 August 2007, third paragraph from the bottom, that the Patent Office Board of Appeals statement be corrected to read:

We have studied the references and the manner in which the Examiner proposes to combine their teachings but we are unable to find in these references any suggestion that they should or could be combined, absent Applicant's application. On the contrary we find that the proposed combination would be bringing together portions of diverse patents dealing with different articles to obtain a product obviously not contemplated by the apparatus disclosed.

Applicants' further cite Carl Schenck, A.G. v. Nortron Corp.. 713 F.2d 782, 218 USPQ 698 (Fed. Cir. 1983) where the Court of Appeals for the Federal Circuit held that there is a crucial difference between obviousness of the subject matter as a whole under section 103 and obviousness of a particular difference between the prior art and the invention. The Court stated that it is not proper "to limit the focus of inquiry to a structural difference from the prior art and then show that that difference alone' would have been obvious. That effort is not proper under the statute which requires that an invention be considered as a whole."

It is respectfully submitted that the Examiner has overlooked the salient part of applicants' structure, as claimed, which clearly and patentably distinguishes over any proper combination of the references of record. Accordingly, it is submitted that the references of record as combined by the Examiner, or combined in any manner, do not show, teach, suggest or anticipate Applicants' novel structure as claimed; and further that the references are devoid of any proper showing or teaching to support the reasoning put forth by the Examiner. Reconsideration and allowance of the claims remaining in the case are respectfully requested.

Dated 18 September 2007

Respectively submitted,



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Certification of Mailing

It is hereby certified that this Amendment to the identified application in response to the outstanding Office Action dated 03/30/2007 is being deposited with the United States Postal Service, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 10 September 2007.


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